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NATIONAL INSURANCE COMPANY

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

OCADIAN CARE CENTERS, LLC, a  
California limited liability company,

Plaintiff,

v.

CLARENDON NATIONAL  
INSURANCE COMPANY, a  
corporation; and DOES 1 through 50,  
inclusive,

Defendants.

CASE NO. C-06-7096 MHP

Judge Marilyn H. Patel  
Department 15

**STIPULATION AND PROPOSED  
ORDER EXTENDING MEDIATION  
COMPLETION DATE AND  
CONTINUING JANUARY 28, 2008  
STATUS CONFERENCE**

WHEREAS, Plaintiff OCADIAN CARE CENTERS, LLC ("OCADIAN")  
contends that its insurer, Defendant CLARENDON NATIONAL INSURANCE  
COMPANY ("CLARENDON") mishandled its workers' compensation claims.  
CLARENDON denies these contentions.

WHEREAS, approximately 24 workers' compensation claim files are at issue in  
this matter, and those files consist of over 35,000 pages of documents;

1 WHEREAS the parties have propounded and responded to multiple sets of  
2 written discovery;

3  
4 WHEREAS the parties negotiated and submitted a protective order governing  
5 production of documents in this case, which was approved by the Court and entered  
6 on April 12, 2007;

7  
8 WHEREAS the parties have produced thousands of pages of documents to date;

9  
10 WHEREAS the parties are currently engaged in meet and confer efforts to  
11 resolve CLARENDON's concerns regarding plaintiff's discovery responses and  
12 objections;

13  
14 WHEREAS CLARENDON is unable to determine what persons it wishes to  
15 depose, if any, before mediation until the outstanding discovery disputes are resolved;

16  
17 WHEREAS the parties anticipate the corporate designee deposition of  
18 CLARENDON proceeding in January, 2008;

19  
20 WHEREAS the parties have agreed upon a mediator and are working together  
21 to solidify a date in March, 2008 for mediation;

22  
23 WHEREAS the Court set a mediation completion date of December 31, 2007,  
24 and a Status Conference for January 28, 2008 at 2:00 p.m.; and

25  
26 WHEREAS the volume of documents at issue in this case, the number of at-issue  
27 claim files, and the analysis and discovery related to the parties' claims and defenses  
28



1 will make it difficult for the parties to effectively mediate this case prior to December  
2 31, 2007.

3  
4 IT IS HEREBY STIPULATED AND AGREED by and between OCADIAN  
5 and CLARENDON, through their respective counsel of record, that:

6  
7 1. The Court, in its discretion, should extend the mediation completion date  
8 from December 31, 2007 to April 15, 2007;

9  
10 2. The Court, in its discretion, should continue the January 28, 2008 Status  
11 Conference to April 28, 2008 at <sup>4:00</sup>~~2:00~~ p.m.

12  
13  
14  
15 DATED: 11/15/07

ROXBOROUGH, POMERANCE & NYE LLP

16  
17 By: 

18 DAVID R. GINSBURG  
Attorneys for Plaintiff, OCADIAN CARE  
CENTERS, LLC

19  
20  
21 DATED: 11/15/07

HARRINGTON, FOXX, DUBROW &  
CANTER, LLP

22  
23 By: 

24 KEVIN P. McNAMARA  
Attorneys for Defendant, CLARENDON  
NATIONAL INSURANCE COMPANY

ORDER

Having considered the information provided in this Stipulation, and good cause having been shown, the mediation completion date is continued from December 31, 2007 to April 15, 2008. The January 28, 2008 Status Conference is continued to April 28, 2008 at <sup>4:00</sup>~~2:00~~ p.m.

Dated: 11/20/2007

